

CANVASSING KANSAS

An Update on Election News from Kansas Secretary of State Ron Thornburgh

December 2003

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IN THIS ISSUE

- 2 Secure Electronic Filing with PKI
- 2 Holiday Hours
- 3 A Note from the Secretary
- 4 HAVA Update
- 4 2004 Legislation
- 5 SOS Returns to State Fair
- 6 Kansas Commemorative Coin

Bill Gale Appointed new Sedgwick County Election Commissioner

Secretary of State Ron Thornburgh appointed Bill Gale to succeed Marilyn Chapman as the Sedgwick County election commissioner effective November 1.

Gale is a certified public accountant who previously served two terms on the Wichita city council. He served as fiscal officer for the Mid-America All-Indian Center and has considerable experience in community involvement in various areas. Gale has lived in Sedgwick County since 1979 and is married to Charissa JarboeGale.

Thornburgh and others from the Secretary of State's office traveled to Wichita on Monday, November 3 for the official swearing in. In announcing the appointment in a press release October 20, Thornburgh said, "Bill Gale is the right person for the job at the right time. He brings a clear understanding of the elections process to the table. There will be a number of changes made to elections procedures in the coming months and years due to new federal requirements. I look forward to working with Bill to ensure Sedgwick County continues to be a leader in the elections community."

Gale commented, "My top priority is to continue to provide fair, honest and accurate elections. I look forward to working on the local and state level to ensure Sedgwick County meets the requirements of the Help America Vote Act of 2002 and is fully ready for the 2004 presidential election."

Chapman served as election commissioner for a total of 22 years. Not only was she an experienced and recognized authority on elections in Kansas, she was also a leader on the national level. She was a longtime member of the Election Center and presented seminars on various topics at many Election Center conferences. She chaired the Kansas County Clerks and Election Officials' committee that oversaw implementation of the National Voter Registration Act of 1993.

Chapman's last day on the job was October 31. She and her husband, Floyd Hansen, have enjoyed the beginning of their retirement by traveling to Europe, Colorado and Chicago. Despite her hectic travel schedule, Chapman has said she will be available to consult with Gale to make the transition process as smooth as possible. She has also agreed to continue to serve on the HAVA training and education work group.

Please see **Gale**, page 6

2003 Election Standards Revised

The first annual revisions have been made to the Kansas Election Standards. The Standards were developed after the 2000 presidential election to establish guidelines for the conduct of elections in Kansas and to promote consistency and uniformity of procedures.

In 2001, Secretary of State Ron Thornburgh appointed an Election Standards Task Force to coordinate with members of his staff to develop the Standards. The KCCEOA formally adopted the Standards in May, 2002 at the statewide conference.

Copies were printed and distributed to all county election officers and others who requested them. At the time of formal adoption, a plan was made to revise them as needed each

year to account for changes in federal and state laws, issuance of Attorney General opinions, or court cases that affect the administration of elections.

Proposed revisions were made during the spring of 2003, and the Task Force reconvened in late spring to review and edit the revisions. The revised Standards were submitted to the KCCEOA on November 25, 2003 at the Kansas Association of Counties convention in Overland Park, where the new version of the Standards was formally adopted.

The new document is posted on the Secretary of State's web site at www.kssos.org/elections. Users may access it there; many will wish to print a copy for easy reference. The goal is to make the necessary revisions each year in July.

Secure Electronic Filing with PKI

One of the goals shared in recent years by county election officers and the Secretary of State's office is electronic filing. All counties are connected to the state through the Department of Revenue as well as the Internet and e-mail. Technology is a growing aspect of the administration of any office, including election offices, and it is natural to use technology to automate filings, reduce the time and effort spent in exchanging data, and reduce the potential for errors.

Some steps have been taken in recent years to that end. NVRA reports can be filed on the SOS Web site, election night tabulation has been automated to some extent, and county voter registration databases are filed with the SOS by e-mail and file transfer protocol.

Development of the new statewide centralized voter registration system (CVR) pursuant to HAVA requirements will move us much further toward complete electronic filing. CVR will be fully automated and counties will be able to report on election night and file their official certified election abstracts electronically.

How is this possible, especially in the case of election abstracts, which have to be certified, signed and must bear the county seal?

The answer is public key infrastructure, or PKI.

PKI provides the means to enable an electronic transaction environment that does not ultimately require paper to finalize transactions. It provides the needed security and integrity to data and documents that are used in electronic transactions. It is also used to digitally sign electronic documents.

Two individuals who need to electronically and securely exchange data apply for their public keys from a service provider, known as a registration authority. Once they are registered, they are able to send files that are encrypted (translated into code that cannot be understood by anyone other than an intended party) and digitally signed. A digital signature is a random series of numbers and alphabetical characters. If an unauthorized individual gains access to the communication and alters the document in any way, the unique combination of the digital signature and the encrypted document is unreadable.

The Secretary of State's office has coordinated with other state agencies during the past several years to develop the PKI system for Kansas and to execute a contract for PKI services.

Further, Secretary of State Ron Thornburgh has decided to use PKI to build a secure system for county election officers to report data electronically to his office. He has authorized his office to purchase a digital signature for each county election officer at a cost of approximately \$40 per individual for the first year. This is scheduled for May, 2004.

*Happy Holidays from the
Secretary of State's office!*

Our office will be closed the following dates:

Thursday, December 25

Friday, December 26

Thursday, January 1

Monday, January 19 (Martin Luther King Day)

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RON THORNBURGH

Kansas Secretary of State

Dear Friends:

As the 2004 Presidential election grows close, it is important to remember what our job is as election officials. All eyes will be on us in 2004 due to the 2000 Florida experience, as well as the new HAVA requirements effective across the country. Our obligation is to leave no doubt with Kansans that the way their vote was cast on the ballot is accurately reflected in tabulations on the final canvass.

This has been a difficult feat for election officials across the country because of bi-partisan bickering that has resulted in states not having the tools necessary to meet mandates set forth by HAVA. The Election Assistance Commission (EAC) should have been up and running 45 days after it was legislated. Unfortunately, due to partisan conflicts, the EAC commissioners have yet to be appointed. Without their appointment, we cannot access much of the federal money provided to date.

It is imperative that we rise above party bickering and focus on getting our job done. A citizen's confidence in the voting system is the cornerstone of democracy. We must show Kansans that elections are not merely about partisan concerns. Our system is designed to transition the voice of Kansans to the activities and policies of governance. The only way that happens is through your work to provide safe, secure and accurate elections.

I appreciate your hard work and dedication to the election process in Kansas. I am confident the 2004 election will demonstrate to Kansans that their vote does make a difference.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ron", written over a light-colored rectangular background.

RON THORNBURGH
Secretary of State

HAVA Update

HAVA Coordinator Position

Brian Henson has been named HAVA Coordinator. Brian joined the SOS office on October 1st, 2003. Prior to accepting the position with the SOS office, Brian worked at the Shawnee County Election office as Voter Services Director. Brian gained election experience managing the advance voting department for the spring, 2003 elections. Brian also has some knowledge of what a county clerk does, since Susan Meng, the McPherson County Clerk is his mother.

Polling Place Accessibility

The SOS office has been working with the Kansas Commission on Disability Concerns and the Kansas Advocacy and Protection Services to produce a polling place accessibility survey. This summer the SOS office sent similar survey materials to assist CEOs in determining which polling places were not fully accessible to persons with disabilities. The SOS office will be sending a new, prioritized survey to all CEOs in December. All counties will need to complete a survey for all polling places and return copies to the SOS by January 30, 2004.

In March, 2004, counties will apply for grant money to help pay for some of the necessary improvements to polling places. Kansas' share of the HAVA grant money is \$110,057. This

will not address all needs of the counties so it is imperative that counties think of creative solutions to make polling places compliant. Creative solutions could include asking your local high school(s) to build ramps. Perhaps CEOs can team with city and county street departments to consider using extra asphalt materials to build ramps. Moving or consolidating polling places is another way to improve compliance. It will take a lot of thought and effort to make all polling places compliant given the amount of grant money available.

CVR RFP

The SOS office has been working with Jim Minihan of Imerge Consulting to write the Request for Proposal (RFP) for the Centralized Voter Registration System. The RFP will be sent to vendors in December. Vendors will have 60 days to respond to the RFP. Secretary of State Thornburgh has appointed an evaluation team composed of members of his staff and members of the CVR work group that met several times earlier this year to outline the requirements of the CVR system. Once the deadline for collecting vendors' proposals arrives, the Evaluation Team will review all proposals to determine the finalists. The team will work to find the best solution for Kansas' CVR.

2004 Legislation

Secretary of State Ron Thornburgh and his staff are preparing for a busy legislative season beginning in January. The ambitious agenda for elections legislation is dominated by HAVA. Following is a summary of legislation being considered for introduction next month. The list is subject to change.

HAVA Bill

1. Allow federal service absentee voters to submit one ballot application for all elections in a two year period.
2. Designate SOS as the agency for dissemination of federal services voting information.
3. Require voters to show identification when voting. (Note: The exact proposal on voter ID is not decided. It is the subject of negotiations with the governor's office.)
4. Add an affirmation to the poll book signed by the voter that the voter is qualified to vote in the election.
5. Require the following to be posted at each polling place on Election Day: a sample ballot, the date of the election, and polling hours.
6. Require that when polling hours are extended by court order, votes cast after regular hours are provisional ballots and separated from other provisional ballots.
7. Add to the requirements of the voter registration application form. Require county election officers to notify applicants

of incomplete forms.

8. Establish a statutory administrative complaint procedure.
9. Require CEO and election board worker training.

Other Legislation

In addition to the HAVA bill, the SOS office is working with CEOs and others to draft legislation to control certain aspects of the mailed advance voting system. There have been complaints that ballots sent to nursing homes and other medical facilities, as well as some other types of multi-unit living quarters, may be voted illegally. Research is being conducted to determine if a system can be developed to ensure that all ballots mailed to such facilities, often permanent advance or assisted advance ballots, are voted by the voters themselves. Ideas being offered include a traveling election board or special election days at group facilities. If the research cannot be completed and a bill drafted for introduction in 2004, it will be considered for 2005.

The KCCEO election committee, chaired by Lyon County Clerk Karen Hartenbower, is considering several legislative proposals. The committee will meet in early December to finalize the list.



SOS Returns to the State Fair

This year was the seventeenth consecutive year the Secretary of State's office has operated a booth at the state fair in Hutchinson. This year's fair ran from Friday, September 5 through Sunday, September 14. The SOS booth registered voters, sold Kansas flags, distributed information about the office, and conducted the annual opinion poll.

The highlight of this year's booth was electronic voting. Election Systems and Software (ES & S), a voting equipment and software company from Omaha, loaned the SOS office three direct recording electronic (DRE) voting devices to use in the

opinion poll. Under the Help America Vote Act, every polling place in the state will have at least one DRE by 2006. The DREs accommodate all voters, but they are specifically designed to allow visually impaired voters to use an audio ballot component so they can vote without receiving assistance from another person. It preserves the guarantee of a secret ballot.

ES & S is one of many companies marketing HAVA-compliant DREs. The state fair gave many Kansas voters their first opportunity to vote on the latest technology.



The opinion poll consisted of the four questions below.

1. What do you think is the single best thing about being an American?

Freedoms	1,463 votes
Diverse culture	76 votes
Opportunities	271 votes
Military and economic world leader	58 votes
Other	scattered votes

2. What impact would it have on you if you were required to show identification each time you vote?

I would feel my vote is more secure.	899 votes
I would be less likely to vote because of the inconvenience and intrusion.	165 votes
It would not affect me.	851 votes

3. Which one of the following items should be included on the Kansas commemorative quarter?

Buffalo	358 votes
Pioneer	111 votes
Sunflower	641 votes
Wheat	416 votes
Other	scattered votes

4. What do you enjoy most at the State Fair?

Entertainment	286 votes
Crafts	354 votes
Animals	259 votes
Food	394 votes
Midway attractions	173 votes
Vehicles / Machinery	180 votes

County election officers and their staffs who volunteered at the booth this year:

Saline County: Don Merriman

McPherson County: Lori Koehn, Nancy Krehbiel, and Cathy Schmidt

Butler County: Ron Roberts

Lane County: Crysta Torson

SOS History at State Fair

The SOS office first began operating a booth at the state fair in 1987 when then-Secretary of State Bill Graves used it to promote Kansans' participation in the 1988 state census.

The census was a special one-time project assigned to Graves' office by the Kansas legislature to produce population data for the constitutionally required 1989 legislative redistricting process. The state census is no longer conducted because the constitution was amended to abolish the state census and use federal census data for redistricting.

Over the years the SOS office has used the state fair to promote various activities of the office such as the 1990 and 2000 federal census adjustments, the corporations division's charity check, advance voting, and motor-voter.

Kansas Commemorative Coin

As part of the 50 State Quarters® Program, the U.S. Treasury and Mint will honor Kansas in August 2005. The Kansas quarter will be the 34th quarter design to be released, coinciding with Kansas being the 34th state to ratify the Constitution and join the Union.

To determine the design of the Kansas quarter, Senate Bill 205 was introduced and passed during the 2003 legislative session. The bill created the Kansas commemorative coin design commission. It also outlined the process that would provide the governor the final design concept to submit to the United States mint.

Through September 10, 2003, Kansans were invited to submit quarter design sketches with narratives that would portray our state with pride and dignity. Over 1,500 designs were submitted to the commission. After a series of eliminations, the

commission voted on five designs, plus one alternate, to present to the U.S. mint in the preparation of artwork of the concepts.

Once the five designs are approved by the mint, they will be returned to the commission. An election among high school students in Kansas accredited public and non-public high schools will determine the final design. The election will be a collaborative effort between the Kansas Secretary of State's office, the Kansas Department of Education, and the Kansas commemorative coin design commission, to be held no later than the last week of April, 2004. The election will involve 377 high schools across Kansas with combined enrollment of 150,578 students.

Meetings are currently underway to determine the means by which these elections will take place. Both paper ballot and electronic means of voting have been discussed.

Gale

From page 1

The transition process has already been slightly difficult. In meetings with Sedgwick County staff and Secretary of State's office elections staff, Gale recognized the challenge he faces in replacing an experienced election administrator such as Marilyn Chapman. Gale also conducted a special election in the city of Cheney on November 4, his second day on the job.

Another factor making the transition difficult is the resignation of Beverly Exley, longtime chief deputy in the office. Exley has been a familiar face on the election scene in Kansas for many years. Her retirement leaves a void that will be difficult to fill, especially since it came on the heels of Chapman's retirement. Exley has agreed to work part time in the office through the end of the year to assist in the transition.